Bulletin 5/5/71

Defender Unit Criticized for Aiding FBI Investigation

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The Defender Association of Philadelphia has been criticized for allegedly permitting the Federal Bureau of Investigation to examine its Xerox machine in the FBI's attempt to trace documents stolen from its Media office.

The criticism was made in a letter to the association from Louis B. Schwartz, a professor of criminal law at the University of Pennsylvania, and Bernard L. Segal, a former official of the Defender Association.

The Defender Association represents indigents in criminal cases.

Unsolicited Call

Vincent J. Ziccardi, director of the association, said that to the best of his knowledge no FBI agent had visited the office to check the Xerox machine. But, Ziccardi said, two Xerox employes made an unsolicited call.

When an employe asked why, they said they were doing it "for the FBI," according to Ziccardi. "It's a pretty sneaky way," Ziccardi said.

The copies of the Media documents were printed on Xerox 660 Model Copier, Ziccardri said, and the Defender Association has two other models.

Xerox, at the request of the FBI, began about two weeks ago to collect samples from each of its Model 660 machines. Each of the machines, according to the company, leaves a distinctive pattern.

Part of Machine?

The letter from Schwartz and Segal said:

"The decision of the Defender Association to engage in this kind of close cooperation with a law enforcement agency in the investigation of a crime is precisely the kind of conduct calculated to make clients of the association wonder whether they have independent defense counsel working for them, or whether the question of their freedom has been given over to an agency which is part of the law enforcement network.

"The issue is not whether the Defender Association has actually become part of the law-enforcement machine, but whether to its clients the Defender appears to have become part of the Government's investigation."

About 850 documents were stolen from the FBI office on March 8 by a group calling itself the "Citizens' Commission to Investigate the FBI."